

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Mark Noland, on February 23, 2021 at 07:30 AM, in Room 172
Capitol

ROLL CALL

Members Present:

Rep. Mark Noland, Chair (R)
Rep. Edward Buttrey, Vice Chair (R)
Rep. Katie Sullivan, Vice Chair (D)
Rep. Fred Anderson (R)
Rep. Willis Curdy (D)
Rep. Neil Duram (R)
Rep. Ross H. Fitzgerald (R)
Rep. Moffie Funk (D)
Rep. Steven Galloway (R)
Rep. Steve Gist (R)
Rep. Steve Gunderson (R)
Rep. Derek J. Harvey (D)
Rep. Denley M. Loge (R)
Rep. Ron Marshall (R)
Rep. Sara Novak (D)
Rep. Kerri Seekins-Crowe (R)
Rep. Rynalea Whiteman Pena (D)
Rep. Katie Zolnikov (R)

Members Excused:

Rep. Kim Abbott (D)
Rep. Andrea Olsen (D)

Members Absent: None

Staff Present:

Jordee Bomgardner, Committee Secretary
Jameson Walker, Legislative Branch
Cara Grewell, Remote Meeting Coordinator

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 289, 2/15/2021; HB 434, 2/17/2021; HB 437, 2/17/2021; HB 440, 2/17/2021; HB 490, 2/19/2021; HB 493, 2/19/2021; HB 500, 2/19/2021

Executive Action: HB 434, HB 500, SB 118

HEARING ON HB 437

Opening Statement by Sponsor:

07:32:32 Rep. Jim Keane (D), HD 73, opened the hearing on HB 437, Repeal the board of research and commercialization technology.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

07:34:32 Rep. Keane

07:35:03 Chair Noland

HEARING ON HB 434

Opening Statement by Sponsor:

07:36:14 Rep. Scot Kerns (R), HD 23, opened the hearing on HB 434, Revising gambling law relating to shake-a-day.

07:37:16 **Motion/Vote:** Rep. Harvey moved that **HB 434 BE TABLED**. Motion carried 18-0 by voice vote.

HEARING ON HB 490

Opening Statement by Sponsor:

07:37:52 Rep. Scot Kerns (R), HD 23, opened the hearing on HB 490, Revising mental health licensing laws.

Proponents' Testimony: None

Opponents' Testimony:

07:40:31 Ann Truesdell, National Association of Social Workers (NASW)

07:41:28 Zoe Barnard, Department of Public Health and Human Services (DPHHS)

Informational Testimony:

07:42:39 Stacey Anderson, Montana Primary Care Association (MTPCA)

Questions from Committee Members and Responses:

07:43:04 Rep. Gist

07:44:15 Ann Truesdell, NASW

07:44:27 Rep. Galloway

07:44:57 Rep. Kerns

Closing by Sponsor:

07:46:06 Rep. Kerns

HEARING ON HB 289

Opening Statement by Sponsor:

07:47:16 Rep. Matt Regier (R), HD 4, opened the hearing on HB 289, Generally revise labor laws relating to employee associations.

Proponents' Testimony:

07:48:00 Amanda Curtis, Montana Federation of Public Employees (MFPE)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

07:49:00 Rep. Loge

07:49:22 Amanda Curtis, MFPE

Closing by Sponsor:

07:49:50 Rep. M. Regier

07:51:22 Rep. Curdy

07:51:35 Chair Noland

HEARING ON HB 493

Opening Statement by Sponsor:

07:51:57 Rep. Katie Zolnikov (R), HD 45, opened the hearing on HB 493, Establish advanced esthetics practitioner license.

Proponents' Testimony:

07:54:33 Lauren Hansen, Board of Barbers and Cosmetologist

07:57:35 Leesha Ford, Board of Nursing

08:00:37 Todd Younkin, Department of Labor and Industry (DLI)

EXHIBIT(buh38a01)

Opponents' Testimony:

08:04:49 Jean Brancum, Montana Medical Association (MMA)

08:10:23 Scott Boulanger, Montana Association of Beauty Schools

08:17:27 Sri Vellanki, Montana Medical Association (MMA)

Informational Testimony:

08:23:12 Lucy Richards, Department of Labor and Industry (DLI)

Questions from Committee Members and Responses:

08:23:47 Rep. Galloway

08:24:13 Lucy Richards, DLI

08:25:32 Lauren Hansen, Board of Barbers and Cosmetologist

08:27:18 Rep. Galloway
08:27:35 Lauren Hansen, Board of Barbers and Cosmetologist
08:27:53 Chair Noland
08:28:14 Todd Younkin, DLI
08:28:38 Rep. Marshall
08:29:52 Rep. Zolnikov
08:30:09 Rep. Gist
08:30:40 Jean Branscum, MMA
08:31:41 Jameson Walker, Legislative Services Division (LSD)

Closing by Sponsor:

08:32:01 Rep. Zolnikov

HEARING ON HB 440**Opening Statement by Sponsor:**

08:36:15 Rep. Willis Curdy (D), HD 98, opened the hearing on HB 440, Generally revise winery regulatory laws.

[EXHIBIT\(buh38a02\)](#)**Proponents' Testimony:**

08:38:52 Clint Peck, Yellowstone Cellars and Winery
08:43:21 Vice Chair Buttrey assumed the Chair.
08:45:12 Andy Sponseller, Ten Spoon Vineyard and Winery
08:51:36 John Iverson, Montana Tavern Association (MTA)
08:54:09 E.J. Redding, Montana Beer and Wine Distributors Association (MBWDA)

Opponents' Testimony:

08:55:16 Matthew LaRubbio, Western Cider
08:59:15 Larry Robertson, Winery Association of Montana
08:59:47 Rep. Noland assumed the Chair.
09:04:32 Anna Deal, Lockhorn Hard Cider

[EXHIBIT\(buh38a03\)](#)**Informational Testimony:**

09:10:19 Becky Schlauch, Montana Department of Revenue (DOR)

Questions from Committee Members and Responses:

09:11:07 Rep. Marshall
09:13:13 John Iverson, MTA
09:15:12 Rep. Galloway
09:16:37 John Iverson, MTA
09:17:50 Chair Noland
09:18:00 Rep. Fitzgerald
09:21:58 Rep. Novak left the meeting.
09:22:01 Clint Peck, Yellowstone Cellars and Winery
09:22:42 Rep. Loge
09:23:11 Clint Peck, Yellowstone Cellars and Winery
09:24:14 Rep. Loge
09:24:29 E.J. Redding, MBWDA

09:24:51 Vice Chair Buttrey
09:25:20 E.J. Redding, MBWDA
09:25:46 Vice Chair Buttrey
09:26:38 Clint Peck, Yellowstone Cellars and Winery
09:27:15 Vice Chair Buttrey
09:27:39 Andy Sponseller, Ten Spoon Vineyard and Winery
09:28:08 Rep. Galloway
09:28:31 Anna Deal, Lockhorn Hard Cider
09:28:48 Rep. Gist
09:30:17 Rep. Curdy
09:30:25 Rep. Harvey
09:31:14 E.J. Redding, MBWDA
09:31:59 Rep. Marshall
09:35:16 Andy Sponseller, Ten Spoon Vineyard and Winery
09:37:28 Chair Noland

Closing by Sponsor:

09:38:34 Rep. Curdy

HEARING ON HB 500**Opening Statement by Sponsor:**

09:43:11 Rep. Jeremy Trebas (R), HD 26, opened the hearing on HB 500, Generally revise labor laws.

Proponents' Testimony: None**Opponents' Testimony:**

09:46:25 Steve Wade, Montana Chamber of Commerce
09:48:36 Rhonda Wiggers, National Federation of Independent Business (NFIB); Helena Chamber of Commerce
09:50:10 James Fehr, Montana Department of Public Health and Human Services (DPHHS)

Informational Testimony: None**Questions from Committee Members and Responses:** None**Closing by Sponsor:**

09:54:08 Rep. Trebas

09:55:38 Chair Noland

09:56:17 Recess
10:19:14 Reconvened with Rep. Olsen present.

10:20:18 Chair Noland
10:22:47 Rep. Olsen
10:23:22 Chair Noland

EXECUTIVE ACTION ON SB 118

10:23:41 **Motion:** Rep. Buttrey moved that **SB 118 BE CONCURRED IN.**

Discussion:

10:24:15 Rep. Olsen
 10:28:04 Rep. Duram
 10:28:49 Chair Noland

10:30:02 **Vote:** Motion carried 12-8 by roll call vote with Rep. Abbott, Rep. Curdy, Rep. Funk, Rep. Harvey, Rep. Novak, Rep. Olsen, Rep. Sullivan and Rep. Whiteman Pena voting no. Rep. Abbott voted by proxy. Rep. Noland will carry the bill.

EXECUTIVE ACTION ON HB 500

10:31:21 **Motion:** Rep. Buttrey moved that **HB 500 BE TABLED.**

Discussion:

10:31:53 Rep. Olsen
 10:32:34 Vice Chair Buttrey
 10:32:43 Chair Noland
 10:33:13 Rep. Galloway
 10:33:26 Chair Noland

10:34:49 **Vote:** Motion carried unanimously by voice vote. Rep. Abbott voted by proxy.

Discussion on HB 121

10:35:28 Chair Noland
 10:36:26 Rep. Gunderson
 10:38:24 Rep. Harvey left the meeting.
 10:38:38 Chair Noland
 10:39:13 Jameson Walker, Legislative Services Division (LSD)
 10:40:00 Rep. Olsen, Rep. Funk and Vice Chair Funk left the meeting.
 10:40:53 Chair Noland
 10:42:30 Vice Chair Buttrey
 10:43:11 Chair Noland
 10:44:33 Rep. Loge
 10:44:49 Chair Noland
 10:45:17 Vice Chair Buttrey
 10:45:24 Jameson Walker, LSD
 10:46:33 Chair Noland
 10:46:46 Rep. Galloway
 10:47:51 Vice Chair Buttrey
 10:48:33 Rep. Duram
 10:48:52 Rep. Galloway
 10:49:56 Vice Chair Buttrey
 10:50:55 Rep. Galloway
 10:51:07 Jameson Walker, LSD
 10:52:30 Chair Noland

10:52:58 Jameson Walker, LSD
10:54:59 Vice Chair Buttrey
10:55:25 Chair Noland

Discussion on HB 230

10:56:21 Rep. Loge
10:56:43 Chair Noland
10:56:56 Jameson Walker, LSD
10:57:13 Chair Noland
10:57:22 Rep. Galloway
10:57:33 Chair Noland
10:57:55 Jameson Walker, LSD
10:58:19 Chair Noland
10:58:50 Rep. Gunderson
10:58:47 Jameson Walker, LSD
10:59:42 Rep. Gunderson

Discussion on HB 316

11:00:04 Chair Noland
11:06:00 Vice Chair Buttrey
11:07:24 Chair Noland
11:08:53 Rep. Gist
11:09:27 Chair Noland
11:09:58 Rep. Galloway
11:10:07 Chair Noland
11:10:26 Rep. Galloway
11:10:44 Vice Chair Buttrey
11:11:35 Rep. Duram
11:13:07 Chair Noland
11:14:19 Rep. Gunderson
11:15:02 Chair Noland
11:15:36 Jameson Walker, LSD
11:16:52 Rep. Gunderson
11:17:59 Chair Noland
11:17:02 Jameson Walker, LSD
11:17:36 Chair Noland
11:17:44 Rep. Loge
11:18:00 Rep. Duram
11:18:17 Chair Noland
11:18:21 Rep. Loge
11:18:26 Chair Noland
11:19:09 Cara Grewell, Remote Meeting Coordinator (RMC)
11:19:40 Chair Noland

ADJOURNMENT

Adjournment: 11:19:45

Jordee Bomgardner, Secretary

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Additional Documents:

EXHIBIT([buh38aad.pdf](#))